



The State Bar of California

California Bar Examination Information and History

The first State Board of Law Examiners in California was established in 1919 by order of the [California Supreme Court](#). The name was changed in 1927 when The State Bar of California was officially established, and it designated the Committee of Bar Examiners (Committee) as the committee responsible for administering the requirements for admission to practice law in California (Sections 6060 and 6062 of the California Business & Professions Code).

Currently, the [Committee](#) is composed of 19 members: 10 lawyer members (including one young lawyer member), appointed by the State Bar's [Board of Governors](#), and nine public members, three of whom are appointed by the Senate Rules Committee, three by the Speaker of the Assembly and three by the Governor.

The State Bar's [Office of Admissions](#) staffs the Committee and is responsible for carrying out the policies and rules related to the registration of law students, the First-Year Law Students' Examination (FYLSE), the bar examination, moral character determinations and the registration and accreditation of law schools.

Through the years, the [California Bar Examination](#) has evolved to meet the profession's changes and challenges. This has meant a greater emphasis on testing practical skills and knowledge of professional responsibility.

Practicing law in California requires more than passing the bar examination. Applicants must obtain a specified score on a nationally administered and graded professional responsibility examination, pay required fees and successfully undergo a moral character screening. In addition, applicants must not be reported in arrears with child or family support payments.

Since 1983, the California bar examination has consisted of three basic parts:

- The Multistate Bar Examination (MBE);
- An essay portion consisting of six questions; and,
- An additional written portion composed of two performance tests

The MBE is a 200-item, multiple-choice test that measures an applicant's ability to analyze legal issues arising from certain facts.

The essay portion also measures such skills but does so in the form of six essay questions.

Performance tests go a step further. A performance test question measures an applicant's ability to use fundamental lawyering skills in a realistic situation. They test an applicant's ability to complete tasks that a beginning lawyer should be able to handle. Specifically, a performance test question requires applicants to:

- Sort relevant facts from irrelevant ones;
- Analyze statutory, case and administrative materials for principles of law;
- Consider ethical rules of practice; and
- Apply the law to the relevant facts in a manner to likely resolve the client's problem.

Applicants must also pass a professional responsibility examination administered by the [National Conference of Bar Examiners](#). The two-hour exam, called the [Multistate Professional Responsibility Examination](#), tests applicants on legal ethics and rules of professional conduct. The National Conference offers the examination in March, August and November of each year.

The California Bar Examination is administered twice a year: once in February and again in July. The State Bar's Office of Admissions administers the three-day test.

Keeping Score

Beginning with the February 1987 examination, the Committee instituted a grading procedure designed to assure that the difficulty of the examination remains unchanged from test to test.

A statistical technique called "scaling" converts scores on the written section to the same scale of measurement as the multiple-choice-based Multistate Bar Examination (MBE).

The MBE accounts for 35 percent of the total possible score and the written sections account for 65 percent. To pass the examination, applicants must achieve a final total scaled score of 1440 points or more out of a possible 2000. Applicants who do not pass the California Bar Examination may take it again as often as they wish.

Qualifying for the test

Unlike most other states, California allows graduates from a variety of [different types of law schools](#) to take the bar examination.

Such schools include those approved by the [American Bar Association](#) (ABA), schools accredited by the State Bar's Committee of Bar Examiners but not approved by the ABA, schools that are not approved by the ABA nor accredited by the Committee of Bar Examiners and correspondence law schools, which includes distance learning and online law schools.

In addition, applicants who have not attended law school may qualify to take the examination if they trained in a law office or judge's chambers for four years in accordance with certain rules and procedures and meet certain additional requirements.

In order to eventually qualify to take the California Bar Examination, students attending unaccredited and [correspondence](#) law schools, those participating in the [Law Office/Judge's Chambers Study Program](#) and those who do not have at least two years of college work prior to beginning the study of law must take and pass the [First-Year Law Students' Examination](#) within three administrations of the examination after first becoming eligible to take it, which is upon completion of the first year of law study.

If they pass it on a subsequent attempt, only one year of law study will be credited toward qualification to take the California Bar Examination.

Out-of-state attorneys

[Out-of-state attorneys](#) who want to practice law in California may take the [Attorneys' Examination](#), which is administered by the State Bar's Office of Admissions.

In order to qualify to take this examination, an attorney must be an active bar member in good standing in another U.S. jurisdiction for at least four years. The Attorneys' Examination is composed of the written portions of the General Bar Examination, essay and Performance Tests and is administered at the same time.

Out-of-state attorneys who do not meet those qualifications and [attorneys admitted in foreign jurisdictions](#) must take the General Bar Examination.

Out-of-state attorneys must also achieve a specified score on the nationally administered professional responsibility examination that other applicants take.

The Attorneys' Examination does not include the Multistate Bar Examination portion of the General Bar Examination. To practice law in California, all out-of-state attorneys must successfully undergo a moral character screening and a review of possible family or child support payment arrears. They must also pay required fees.

History of the examination

The nation's first bar examination was administered in 1763 in the colony of Delaware, where aspiring attorneys took an oral test before a judge. This method was adopted across the country and continued for more than 100 years.

Only in the late 19th century did many overworked judges delegate the testing task to committees of attorneys. Eventually, the oral test gave way to a written examination, which was introduced in California in 1919.

For many years the California examination consisted of essay questions only. In 1972, the Multistate Bar Examination (MBE), with its multiple-choice format, was added. The MBE is prepared and scored by the National Conference of Bar Examiners.

In 1975, California became the first state to introduce the Professional Responsibility Examination – a two-hour test on legal ethics and rules of professional conduct. In 1980, the Multistate Professional Responsibility Examination (MPRE), based on California's test, was introduced in some other states under the supervision of the

National Conference of Bar Examiners. It is now used in almost all U.S. jurisdictions, including California, although each state establishes its own minimum passing score.

In July 1983, California initiated performance test questions to measure how well applicants perform certain practical skills associated with typical legal practice. Until then, the bar examination had focused entirely on testing law school graduates' knowledge of the law and their analytical abilities.

The decision to include the written performance tests came after a thorough review of the results of research studies conducted in conjunction with the July 1980 bar examination.

It indicated the tests provided a "reliable means of measuring important lawyering skills that are not assessed fully by the traditional essay and multiple-choice portions of the examination," according to the Committee of Bar Examiners.

The format of the California Bar Examination and the required passing score has remained unchanged since 1983. The scope of the examination has also remained the same since then. Beginning with the July 2007 administration of the California Bar Examination, however, the scope will be changed as follows:

- 1) The subject currently titled "Corporations" will be renamed "Business Associations" and the scope of the topics tested in Business Associations will include those topics currently tested in Corporations, partnerships of all forms, limited liability entities, related agency principles and uniform acts;
- 2) The scope of the subject titled "Civil Procedure" will include the California Code of Civil Procedure; and,
- 3) The scope of the subject titled "Evidence" will include the California Code of Evidence.

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For additional information, contact the State Bar's Office of Media & Information Services, 415/538-2283 or barcomm@calbar.ca.gov